

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Linders et al.

APPLICATION NO.: 10/522,094

FILED: January 24, 2005

TITLE: CLUBROOT RESISTANT
BRASSICA OLERACEA PLANTS

GROUP ART UNIT: 1638

EXAMINER: ROBINSON, Keith O Neal

CONFIRMATION NO.: 9236

ATTORNEY DOCKET NO.: 70059USPCT

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR §1.56, Applicants wish to call the Examiner's attention to the references cited on the attached Information Disclosure Statement by Applicant (PTO/SB/08b).

The references were cited by a third party in observations filed on 27 January 2010 in corresponding European Application No. 03766293.9.

The submission of these references is made solely for the purpose of complying with Applicant's duty of disclosure, and is not intended as a surrender of patentable subject matter nor is it intended to create prosecution history estoppel.

Identification of the listed references is not to be construed an admission of Applicants or Agent for Applicants that such references are available as "prior art" against the subject application.

Applicants respectfully request that the Examiner review the foregoing references and that the references be made of record in the file history of the application.

The Examiner is requested to consider the foregoing information in relation to this application and to indicate that each reference was considered by returning a copy of the initialed Information Disclosure Statement by Applicant (PTO/SB/08b).

The Commissioner is authorized to charge \$180.00 for payment of this submission pursuant to 37 C.F.R. § 1.17(p), to Applicant's credit card. The Commissioner is authorized to charge any additional fees under 37 C.F.R. §1.17 that may be required, to Deposit Account No. 50-1744 in the name of Syngenta Biotechnology, Inc.

Respectfully submitted,



S. Matthew Edwards
Attorney for Applicants
Registration No. 55,141
Telephone No.: 919-765-5117

Syngenta Biotechnology, Inc.
3054 E. Cornwallis Road
Durham, NC 27709

Date: May 10, 2010